

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

04/25/2000

CLERK OF THE COURT
FORM R193B

HONORABLE JAMES H. KEPPEL

B. Giles
Deputy

CR 1999-092829

FILED: _____

STATE OF/ARIZONA

AMY E/CURTIS

v.

BRANDON MICHAEL/CANNING
DOB: 03/29/73

DAVID B CASSIDY

APO-SENTENCE IMPRISONMENT-SE
APPEALS-SE
DISPOSITION CLERK-SE
RFR
VICTIM WITNESS DIV-CA-SE

SENTENCE OF IMPRISONMENT

9:20 a.m. State is represented by above-named Deputy County Attorney.
Defendant is present and represented by above-named counsel.

Court Reporter, Laurie Yazwa, is present.

Let the record reflect that the Court is in possession of
correspondence written on behalf of the Defendant.

The acceptance of the Defendant's plea having previously been deferred
is now accepted and entered of record.

The Defendant is advised of the charge, the determination of guilt and
is given the opportunity to speak.

Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

WAIVER OF TRIAL: The Defendant knowingly, intelligently and
voluntarily waived his/her right to a trial with or without a jury, his/her

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right to confront and cross examine witnesses, his/her right to testify or remain silent and his/her right to present evidence and call his/her own witnesses after having been advised of these rights. The determination of guilt was based upon a plea of Guilty.

Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the following crime(s) as set forth on the following page(s), that upon due consideration of all the facts, law and circumstances relevant herein, the Court finds that suspension of sentence and a term of probation are not appropriate and that a sentence of imprisonment with the Department of Corrections is appropriate.

THE COURT FURTHER FINDS that there are circumstances sufficiently substantial to call for the term as indicated. These circumstances are stated by the Court on the record.

AS PUNISHMENT, IT IS ORDERED that the Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

OFFENSE: THEFT OF MEANS OF TRANSPORTATION

FELONY CLASS: 3 NONREPETITIVE

IN VIOLATION OF A.R.S. SECTIONS 13-1801, 13-1814, 13-701, 13-702 AND 13-801

DATE OF OFFENSE: MAY 5, 1999

SENTENCE: 3.5 YEARS

PRESUMPTIVE

NONDANGEROUS

This sentence is to date from April 25, 2000.

The Defendant is to be given credit for 331 days served prior to sentencing.

IT IS FURTHER ORDERED waiving Community Supervision Program.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

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IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the custody of the Arizona Department of Corrections and authorizing the Department of Corrections to carry out the term of imprisonment set forth herein.

ISSUED: Order of Confinement.

IT IS FURTHER ORDERED that the Clerk of the Superior Court remit to the Department of Corrections a copy of this order together with all presentence reports, probation violation reports, medical and psychological reports which are not sealed relating to the Defendant and involving this cause.

FILED: Notice of Rights of Review After Conviction

Let the record reflect the presentence investigation report is filed under CR 99-90823.

cc: DOC - Certified Copy via Certification Desk
cc: MCSO-DIS - Certified Copy via Certification Desk

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Let the record reflect that the Defendant's thumbprint is permanently
affixed to this sentencing order in open court.

9:38 a.m. Matter concludes.

/s/ HONORABLE JAMES H. KEPPEL
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)